

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Joseph M. Panigall
Sheila A. Panigall
Debtor(s)

Bankruptcy Case No.: 18-24599-CMB
Issued Per Jan. 14, 2019 Proceeding
Chapter: 13
Docket No.: 28 - 5
Concil. Conf.: June 13, 2019 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 7, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 13, 2019 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claims of Ally Financial at Claim No. 1 and ONEMAIN at Claim No. 8 shall govern as to claim amount, to be paid at the modified plan terms. The claim of PHEAA at Claim No. 7 shall be paid as specially classified long term continuing debt at Trustee's Level 28.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 24, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Joseph M. Panigall
 Sheila A. Panigall
 Debtors

Case No. 18-24599-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 55

Date Rcvd: Jan 24, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 26, 2019.

db/jdb
 14956141 +Joseph M. Panigall, Sheila A. Panigall, 518 Salisbury Drive, Greensburg, PA 15601-6039
 14956142 +AES/PHEAA, Po Box 61047, Harrisburg, PA 17106-1047
 14978284 +Aes/pheaa, Attn: Bankruptcy Dept, Po Box 2461, Harrisburg, PA 17105-2461
 14956155 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14956162 +Consumer Capital Advocates, 3221 NW 10th Terrace, Suite 502, Fort Lauderdale, FL 33309-5942
 14956163 +First Premier Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 14956164 +First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
 14956165 First Source Advantage, LLC, PO Box 628, Buffalo, NY 14240-0628
 14956166 +Hempfield Township Tax Collector, 938 Saint Clair Way, Greensburg, PA 15601-3550
 14956169 +Latrobe Federal Credit Union, 1812 Ligonier Street, Latrobe, PA 15650-2917
 14956170 Ligonier Country Club, Rt 711 South, Country Club Road, Ligonier, PA 15658
 14971905 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14956177 Paypal Credit, PO Box 71202, Charlotte, NC 28272-1202
 14956178 Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760
 14976738 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
 14956182 +Santander Bank, Mail Code: MA1-MB3-01-21, 2 Morrissey Boulevard, Boston, MA 02125-3312
 14956181 +Santander Bank, 450 Penn St, Reading, PA 19602-1011

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14956144 +E-mail/Text: ally@ebn.phinsolutions.com Jan 25 2019 02:10:03 Ally Financial,
 Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
 14961393 E-mail/Text: ally@ebn.phinsolutions.com Jan 25 2019 02:10:03 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 14956143 +E-mail/Text: ally@ebn.phinsolutions.com Jan 25 2019 02:10:03 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300
 14956145 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 25 2019 02:08:22 Capital One,
 15000 Capital One Dr, Richmond, VA 23238
 14956146 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 25 2019 02:08:39 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14969568 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 25 2019 02:08:22
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14956147 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 25 2019 02:08:55 Capital One Na,
 Po Box 26625, Richmond, VA 23261-6625
 14956148 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 25 2019 02:08:22 Capital One Na,
 Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14956150 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2019 02:10:17
 Comenity Bank/Victoria Secret, Attn: Bankruptcy Dept, Po Box 182125,
 Columbus, OH 43218-2125
 14956149 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2019 02:10:17
 Comenity Bank/Victoria Secret, Po Box 182789, Columbus, OH 43218-2789
 14956152 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2019 02:10:18 Comenity Capital Bank/HSN,
 Attn: Bankruptcy Dept, Po Box 18215, Columbus, OH 43218
 14956151 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2019 02:10:18 Comenity Capital Bank/HSN,
 Po Box 182120, Columbus, OH 43218-2120
 14956153 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2019 02:10:18 Comenitybank/New York,
 Po Box 182789, Columbus, OH 43218-2789
 14956154 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2019 02:10:18 Comenitybank/New York,
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
 14956157 +E-mail/PDF: creditonebknofications@resurgent.com Jan 25 2019 02:08:24 Credit One Bank,
 Attn: Bankruptcy, Po Box 98873, Las Vegas, NV 89193-8873
 14956156 +E-mail/PDF: creditonebknofications@resurgent.com Jan 25 2019 02:08:41 Credit One Bank,
 Po Box 98872, Las Vegas, NV 89193-8872
 14956161 E-mail/Text: bankruptcynotice@fcbanking.com Jan 25 2019 02:10:06 First Commonwealth Bank,
 Attn: Bankruptcy, Po Box 400, Indiana, PA 15701
 14956159 +E-mail/Text: bnc-bluestem@quantum3group.com Jan 25 2019 02:11:00 Fingerhut,
 Attn: Bankruptcy, Po Box 1250, Saint Cloud, MN 56395-1250
 14956158 +E-mail/Text: bnc-bluestem@quantum3group.com Jan 25 2019 02:11:00 Fingerhut,
 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
 14956160 +E-mail/Text: bankruptcynotice@fcbanking.com Jan 25 2019 02:10:05 First Commonwealth Bank,
 601 Philadelphia St, Indiana, PA 15701-3952
 14968549 E-mail/Text: JCAP_BNC_Notices@jcap.com Jan 25 2019 02:10:49 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 14956168 +E-mail/Text: bnckohlsnotices@becket-lee.com Jan 25 2019 02:10:07 Kohls/Capital One,
 Kohls Credit, Po Box 3120, Milwaukee, WI 53201-3120
 14956167 +E-mail/Text: bnckohlsnotices@becket-lee.com Jan 25 2019 02:10:07 Kohls/Capital One,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-5660
 14966102 E-mail/PDF: resurgentbknofications@resurgent.com Jan 25 2019 02:08:25 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14956173 +E-mail/PDF: resurgentbknofications@resurgent.com Jan 25 2019 02:08:58
 LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497,
 Greenville, SC 29603-0497

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 55

Date Rcvd: Jan 24, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14956171 +E-mail/PDF: resurgentbkn notifications@resurgent.com Jan 25 2019 02:08:25
LVNV Funding/Resurgent Capital, Po Box 1269, Greenville, SC 29602-1269
14972583 E-mail/PDF: cbp@onemainfinancial.com Jan 25 2019 02:08:35 ONEMAIN, PO BOX 3251,
EVANSVILLE, IN, 47731-3251
14956176 +E-mail/PDF: cbp@onemainfinancial.com Jan 25 2019 02:08:36 OneMain Financial,
Attn: Bankruptcy, 601 Nw 2nd Street, Evansville, IN 47708-1013
14956175 +E-mail/PDF: cbp@onemainfinancial.com Jan 25 2019 02:08:36 OneMain Financial, Po Box 1010,
Evansville, IN 47706-1010
14956179 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 25 2019 02:38:20
Portfolio Recovery, 120 Corporate Blvd Ste 1, Norfolk, VA 23502
14957422 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 25 2019 02:37:57
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14956180 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 25 2019 02:08:58
Portfolio Recovery, Po Box 41021, Norfolk, VA 23541-1021
14967519 +E-mail/Text: JCAP_BNC_Notices@jcap.com Jan 25 2019 02:10:49 Premier Bankcard, LLC,
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
14956183 +E-mail/Text: jennifer.chacon@sp servicing.com Jan 25 2019 02:11:17
Select Portfolio Servicing, Inc, Po Box 65250, Salt Lake City, UT 84165-0250
14956184 +E-mail/Text: jennifer.chacon@sp servicing.com Jan 25 2019 02:11:17
Select Portfolio Servicing, Inc, Attn: Bankruptcy, Po Box 65250,
Salt Lake City, UT 84165-0250
14956186 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2019 02:08:38 Synchrony Bank/ JC Penneys,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14956185 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2019 02:08:53 Synchrony Bank/ JC Penneys,
Po Box 965007, Orlando, FL 32896-5007
14956187 E-mail/Text: bankruptcy@firstenergycorp.com Jan 25 2019 02:10:40 West Penn Power,
PO Box 3687, Akron, OH 44309-3687

TOTAL: 38

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Wilmington Savings Fund Society, FSB, d/b/a Christ
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828
14956166* +Hempfield Township Tax Collector, 938 Saint Clair Way, Greensburg, PA 15601-3550
14956174* +LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497
14956172* +LVNV Funding/Resurgent Capital, Po Box 1269, Greenville, SC 29602-1269

TOTALS: 1, * 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 26, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 24, 2019 at the address(es) listed below:

Abagale E. Steidl on behalf of Debtor Joseph M. Panigall asteidl@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Abagale E. Steidl on behalf of Joint Debtor Sheila A. Panigall asteidl@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana
Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6